

Order

Michigan Supreme Court
Lansing, Michigan

September 19, 2008

Clifford W. Taylor,
Chief Justice

136294

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SAM ANDRES, d/b/a
SCHOOLCRAFT AUTO BODY,
Plaintiff-Appellant,

v

SC: 136294
COA: 276473
Kalamazoo CC: 06-000065-NO

TIM BROWN,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the March 13, 2008 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we AFFIRM the result reached by the Court of Appeals, but for a different reason. The defendant, who was “the elective or highest appointive executive official of [a] level[] of government . . . acting within the scope of his executive authority[,]” MCL 691.1407(5), was absolutely immune from tort liability.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 19, 2008

Corbin R. Davis

Clerk